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7 Attorney for Voncel Tate

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 VONCEL TATE,

14 Defendant.
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Case No. 2:19-cr-00111-APG-NJK

**STIPULATION TO CONTINUE
SENTENCING HEARING**
(Fifth Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between
17 Nicholas A. Trutanich, United States Attorney, and Brian Y. Whang, Assistant United
18 States Attorney, counsel for the United States of America, and Rene L. Valladares,
19 Federal Public Defender, and Nisha Brooks-Whittington, Assistant Federal Public
20 Defender, counsel for Voncel Tate, that the Sentencing Hearing currently scheduled on
21 March 17, 2021 at 1:00 p.m., be vacated and continued to a date and time convenient to the
22 Court, but no earlier than ninety (90) days.

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1 The Stipulation is entered into for the following reasons:

2 1. On March 11, 2020, the World Health Organization officially classified
3 COVID-19 a pandemic.¹ Governor Steve Sisolak declared a State of Emergency in Nevada on
4 March 12, 2020. On March 16, 2020, the CDC recommended that all in-person events
5 consisting of 10 or more people be postponed or cancelled throughout the United States.²

6 2. As of February 22, 2021, Nevada has 291,145 confirmed COVID-19 cases and
7 4,882 deaths.³ The new strain of coronavirus which causes COVID-19, has infected over 111
8 million people, leading to at least 2.4 million deaths worldwide.⁴

9 3. In light of this pandemic, the growing number of infected individuals in the State
10 of Nevada and worldwide, and the CDC's recommendations, counsel request a continuance of
11 the sentencing hearing.

12 4. Additionally, the defense requests additional time to prepare for sentencing and
13 to gather mitigation information which is relevant to the sentencing disposition of this case.

14 5. The defendant is incarcerated and does not object to the continuance.

15 6. The parties agree to the continuance.

21 ¹ *WHO Characterizes COVID-19 as a Pandemic*, World Health Organization (Mar.
22 11, 2020) at <https://www.who.int/dg/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020>.

23 ² Center for Disease Control: COVID-19 <https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/> (last visited Mar. 24, 2020).

24 ³ <https://nvhealthresponse.nv.gov/> (last visited February 22, 2020).

25 ⁴ *Coronavirus Resource Center*, John Hopkins University (last visited February 22,
26 2021), <https://coronavirus.jhu.edu/map.html>.

1 This is the fifth stipulation to continue filed herein.

2 DATED this 22nd day of February 2021.

3 RENE L. VALLADARES
4 Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

5 */s/ Nisha Brooks-Whittington*
6 By _____

7 NISHA BROOKS-WHITTINGTON
Assistant Federal Public Defender

/s/ Brian Y. Whang
By _____

BRIAN Y. WHANG
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,
4
5 Plaintiff,
6 v.
7 VONCEL TATE,
8 Defendant.

Case No. 2:19-cr-00111-APG-NJK

ORDER

9
10 IT IS ORDERED that the sentencing hearing currently scheduled for Wednesday,
11 March 17, 2021 at 1:00 p.m., be vacated and continued to June 16, 2021 at the hour of 2:00
12 p.m. in LV Courtroom 6C.

13 DATED this 23rd day of February 2021.

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16 UNITED STATES DISTRICT JUDGE
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